

May 16, 2016

A Special Meeting of the Allendale Planning Board was held in the Municipal Building, 500 West Crescent Avenue, Allendale, NJ on May 16, 2016. Chairman Quinn announced that the Open Public Meetings Act requirements were met by the required posting and notice to publications called the meeting to order at 8:03 p.m.

PRESENT: Ms. Checki, Mr. Daloisio, Mr. Quinn, Mr. Sasso, Mr. Scherb, Mr. Sirico, and Mayor White

ABSENT: Mr. Bonifacic, Mr. O'Connell, and Mr. Zambrotta

ALSO PRESENT: Mr. Botta and Mr. Vreeland

An application for Chamberlain Developers, Inc. was reviewed regarding the major subdivision for property located at 221 East Crescent Avenue, Allendale, NJ, Block: 506 Lot: 4. Mr. Bruce Whitaker from the Ramsey law firm McDonnell & Whitaker, L.L.P. is representing Chamberlain Developers, Inc. for a 10-lot subdivision with no variances requested to address the Board for the application. The application is for both preliminary and final subdivision approval, located in the ML-7 zone consisting of 4.79 acres. It is for a subdivision proposal of 10 single-family dwelling units referred to as Allendale Heights. The proposal meets or exceeds all variances and ML-7 requirements. The proposal also meets the NJ Stormwater Management Act requirements. There will be eight single-family homes that will be accessed via Harding Avenue. This approach will also improve the current roadway to meet and exceed roadway requirements. Two of the lots will be deed restricted for low- and moderate-income housing requirements (also referred to as COAH requirements). Specifically, those two lots will be designed for disabled Veterans fronting East Crescent Avenue. All 10 lots will be conforming to zoning requirements, setbacks, FAR, and impervious coverage requirements; therefore, no exception to those rules is requested. This application is also subject to approvals from the (1) Bergen County Planning Board and (2) and Bergen County Soil Conservation. Though no variances are being requested, a waiver is being asked for no sidewalks to be included because there are no adjoining sidewalk connections on either Harding Avenue or East Crescent Avenue. Mr. Quinn verified with Mr. Botta that the application has been properly noticed and can proceed. Mr. Quinn acknowledged the Planning Board was ready to proceed.

Mr. Botta swore in Daniel Lamothe, a professional engineer licensed in New Jersey, from Lapatka Associates (located at 12 Route 17 North, Paramus, NJ). The Board accepted Mr. Lamothe as an expert. The first exhibit was a map of existing conditions prepared by Lapatka Associates dated January 27, 2016 and marked Exhibit A-4. The topography and area surrounding the property were noted. Exhibit A-3 was presented next and showed a map of the proposed development dated January 27, 2016. This map was conceptual in nature to show the design and the accurate description of the roadways and proposals. All meet or exceed the ML-7 code requirements of 15,000 square feet per lot. All the lots will meet the requirements set forth by the town and county. A proposed improvement to Harding Avenue will exceed RSIS standards and will be 28 feet in width and 50 feet in length leading into a double cul-de-sac in the subdivision.

A drainage proposal was presented next as Exhibit A-5. Exhibit A-5 highlights locations of all catch basins, seepage pits, and drainage systems. All houses, driveways, and street will direct the water to discharge into a catch basin directly under the extension of Harding Avenue in the development. The storm drainage system is designed for storm events (one year, two year, and 100 year plans along with reducing the sheeting that currently exists on the property). The plan was designed to reduce the runoff into the southwest corner of the lot by directing it into the seepage pits at each house location and the main catch basin within the development. An extensive drainage report was presented as Exhibit A-12 calculated on January 27, 2016. All water-quality requirements will meet NJDEP and storm water regulations for major developments in New Jersey.

There are no sidewalks in the immediate area, and the development does not connect to any sidewalks on either Harding Avenue or East Crescent Avenue. The utility plan on Exhibit A-5 was noted with water, electric, gas,

sanitary, telephone, and cable systems on both roads. Harding Avenue will have connections to the water line off East Crescent and will improve the water system as a whole. Also, the utilities will be underground for the eight homes on Harding Avenue; overhead for the two homes on East Crescent Avenue. They will be meeting with Orange & Rockland to discuss the best location and plans for the development. Soil plans and soil conservation calculations have been submitted and subject to approval.

Mr. Whitaker went through the report by Michael Vreeland, the Allendale Board Engineer, point by point to verify completeness of the application. Mr. Lapatka noted 3.7. It was proposed for three decorative streetlights to be included in the new development in agreement with Orange & Rockland. All requirements will be met in the plans submitted. At this time, Mr. Whitaker and Mr. Lapatka complete the presentation. Mr. Vreeland then addressed his memo, which concerns of his is the long-term operation and maintenance of the storm water system proposed as noted in his memo point 6.2 and the burden on the town to maintain the system. Mr. Lamothe in detail described the options available and the reason for their drainage design for the development. Mr. Vreeland requested a copy of the landscaping design and asked if more additional screening will be added to the perimeter. At this time the applicant reserved the right to a more specific design when they build the homes. Mr. Whitaker replied to the comment about the manual for the storm water design. Mr. Vreeland reserved the right to be informed before advising the Planning Board. Mayor White also requested for other examples of both this system and locations used.

Mr. Quinn asked about the driveways on East Crescent and the safety issues. Mr. Whitaker replied they will meet all county requirements for driveways set forth in the rules with the design and location of those two homes, and they are waiting for comment from the Bergen County Planning Board. Mr. Vreeland requested that the area for the sidewalks be calculated and accounted for with the impervious coverage, whether a waiver is granted or not. A comment from Mr. Sirico was the location of drainage catch basins on Harding Avenue and if more were warranted. A concern that Mr. Lamothe pointed out was the gas line along the other side of the road, and they will go back and consider another drain at the junction of Arlton and Harding Avenues. East Crescent Avenue is a county road, so the county has to address the water drainage. Mr. Vreeland stated for the record NJDEP letter dated April 8, 2016 that will permit this application to connect to the main water lines since a previously approved application for another development was expired, thus allowing the permit to be transferred.

Mr. Quinn opened up this portion of the meeting for questions directly to Mr. Lamothe, and he stated that time for general comments will be provided at the end of the testimony.

Alan Jacobson, 19 Overlook Court, Ramsey, commented that the presentation was very good. He was concerned about peak surge flow and the burden of water into the system. Mr. Lamothe reiterated his earlier statement that the design of the development will channel all the water into the system designed under the extended road, actually reducing the runoff and overflow into the surrounding properties. Mr. Jacobson asked if this would address the stress on the Allendale water system. Mr. Lamothe replied that the water would be split into two connections and not overburden one connection. It is a net improvement to the system.

Dean Whitman, 355 Overlook Court, Ramsey, was concerned about the sheets of rain and water to the direction of the southwest corner. He asked why sump pumps were to be installed into all the homes. Mr. Lamothe stated the existing topography points in this direction. The proposal of the drainage system in capturing water from the roofs, driveways, and roadway will be a more controlled drainage system; thus, a reduction of water flowing onto Mr. Whitman's property.

Jane Jacobson, 19 Overlook Court, Ramsey, asked about the rock wall on the property. Mr. Whitaker stated the developer would address that question when he has been sworn in to testify.

Jeff Morlwitz, 70 Harding Avenue, Allendale, asked about water in his basement. What recourse does he have if

they do have a problem with the water direction toward Harding? Mr. Quinn addressed that they will look at additional catch basins on Harding Avenue with the town engineer. Mr. Morlwitz questioned why access was on Harding Avenue instead of onto East Crescent Avenue. Mr. Lamothe stated that it is safer to have traffic on a secondary street access instead of a main street plus the topography lends itself to the design of the development as proposed.

Charles Scott, 210 East Crescent Avenue, Allendale, asked, “How would the water be controlled from the driveways on East Crescent?” Mr. Lamothe stated there will be two drains on the properties. A seepage pit and a trench drain in the driveway to collect the water and direct it into the seepage pits on the side of the driveways. The sump pump will discharge to the ground surface or seepage pits because you cannot have a direct connection into a sewer line. Mr. Scott questioned about the movement of the house on the lot. Mr. Lamothe stated there is a building envelope. Mr. Scott asked about a sidewalk on East Crescent Avenue. Mr. Lamothe stated it would be 5 feet in from the curb with a grassy area in between the curb and sidewalk.

Chris Kehoe, 73 Harding Avenue, Allendale, questioned, “Why do they not have direct access onto Crescent Avenue?” Mr. Botta stated the Board does not design the plan, and it will not be altered unless in violation. The traffic standard the engineer testified that lesser volume road use for safety and traffic flow. The concern for the residents is the additional traffic flow onto Arlton Avenue. It was permitted by the zone and MLUL in the code. It was agreed what is permitted, versus what is preferred. Mr. Botta reiterated that the Planning Board does not have control over the applicant’s design. It is not the Board’s responsibility to design or alter it because it has to stand on its own merits. Mr. Whitaker also conferred that it would be improving a substandard road (Harding Avenue).

Zack Main, 23 Overlook Court, Ramsey, asked again about the design for the storms. Mr. Lamothe reiterated what he said about the design earlier. Mr. Main asked about the stonewall, “Will the wall be impacted by the construction?” Mr. Lamothe commented the slope of the land is away from the wall on Overlook Court. Mr. Main asked about the seepage pits, “Will the residents be responsible?” Mr. Lamothe stated homeowners are responsible, and the town can fine the property owner. Mr. Whitaker stated that RSIS and storm water requirements are required for single-family homes to catch the water from the impervious coverage, maintain it, and recharge it into the system. The town can impose a fine. Most of the current homes do not have this design from 20 years ago, and this will improve any water issues today. Mr. Main asked, “What does it cost the homeowner to maintain the seepage pit?” Mr. Lamothe replied the owner has to vacuum out the debris, and this task is not a significant maintenance. Mr. Main asked, “What about the sidewalks existing today?” Mr. Lamothe stated there are no sidewalks; the vegetation will be removed; and curbing will be added. Mr. Main asked, “Would the site be regraded because of the contaminants of concern in the soil?” Mr. Whitaker stated we would have testimony at a future date.

Ms. Checki asked for stonewall clarification. Is it in Ramsey or Allendale? Mr. Whitaker confirmed the developer is not touching the wall at all. In addition, the water and drainage will remove the water from the direction of the wall. The police department commented they had no issues and improving the road with pavement and wider curbs will make it safer. No comments were made from the fire department. Meets all design standards of the RSIS and all manuals and state requirements. Mr. Quinn asked Mr. Vreeland to request that the fire department confirm if they can drive fire equipment into the cul-de-sac. Mr. Whitaker stated it was submitted in February. There has been ample time for their review and comment.

Mr. Quinn brought the testimony back to the Board and did not hear any further questions. The next witness called is Matt Frasco, sworn in to testify as the developer of this project. Mr. Whitaker questioned the background of Mr. Frasco. Two previous sites in town—Fox Run and Adler Court—he developed as 100% sole owner of Chamberlain Developers, Inc. (since 1998). Size of the homes will be dictated by the market trends, FAR, and ML-7 Ordinance requirements. Eight homes will be sold for market value, and the two homes will be deed

restricted for Veterans to give back to that community—meeting and exceeding the requirements governed by COAH rules. It is very unique to have single-family dwellings for low- and moderate-income housing. Mayor White confirmed that these two sites are included in the town COAH plans. Mr. Frasco also commented that the homes would have the seepage pits to manage the water and make the home safer regarding Radon with his design. He will meet all code requirements, which have become more stringent over the last years. No questions were taken from the Board. Mr. Quinn opened the meeting to the public.

Charlie Scott, 210 East Crescent Avenue, Allendale, inquired about the aesthetics for the affordable homes. Mr. Frasco stated it is too early to know, but they will be developed with the United Way or third party familiar with Veterans' homes. It will be a nice home that someone will appreciate. There is a performance bond and the contract purchaser of the property to ensure it is built. Mr. Scott posed a question as to whether people would be able to seek a variance in the future. Mr. Whitaker responded in the affirmative that the town has a Board of Adjustment to approve variances. Mr. Quinn stated that the plan is not seeking any variances at this time.

Scott Brubaker, 111 Arlton Avenue, Allendale, asked, "What will be the value of the affordable homes." Mr. Frasco stated that it is governed by statute and COAH. The cost to build will be at a loss compared to what it is sold. The homes are not to be rental property. As in the Whitney development, it will be difficult to differentiate what is low income and what is full for sale properties. Mayor White stated they take their requirements very seriously.

Jeff Martini, 63 Arlton Avenue, Allendale was concerned about the traffic, congestion, and speed on Arlton Avenue, and asked if there would be a review of traffic flow and safety with that street. Mr. Whitaker said, "No, all the requirements have been investigated and met." Mr. Martini asked about Ramsey. Mr. Whitaker answered that Ramsey has been noticed. Mr. Botta stated that the job of the Planning Board is not to design or redesign, but question the plans for approval or not approval based on requirements set forth by the Borough of Allendale ordinances.

Samantha Conroy, 225 East Crescent Avenue, Allendale, stated they live on the small lot on the corner of Overlook Court and East Crescent Avenue. Actually her parents live at this address. She stated proposals for Allendale Heights. When was it decided for 10 homes to be built? It is a quiet area. Is there a reason why there has to be 10 houses? Mr. Whitaker stated that the ordinance and zone is for 10 lots. Mr. Frasco stated it is in line with the Master Plan—a plan made by the Borough of Allendale and not the developer.

Mr. Quinn returned the meeting to the Board. Ms. Checki questioned that it is not custom homes. Mr. Frasco stated that there will be offerings but not radical variation from the primary design of this neighborhood. The plan will accommodate a specific size home all within a building envelope, no variances, and only one waiver regarding sidewalks.

Mr. Quinn confirmed that they would continue this application on Thursday, May 19, 2016 to discuss the final presentation of the application and potential vote by the entire Planning Board.

There being no further business to come before the Planning Board, on a motion from Mr. Daloisio, seconded by Ms. Checki, the meeting was adjourned at 10:44 p.m.

Respectfully submitted,  
Christina Montanye